In the High Court of Uttaranchal, at

Nainital.

(Stay Application No. 11173/2006)

with

Criminal W.P. No. 1097(M/B) of 2006

1- Bali Ram S/o Swaroop Ram
2- Hari Ram S/o Swaroop Ram
Both R/o Ida Patwari Kshetra, Ida,
Tehsil Dwarhat, District Almora .. Petitioners.

Vs.

1- State of Uttaranchal, through Secretary Home.
2- Tehsildar, Tehsil Dwarahat,
District Almora, Uttaranchal.
3- Patwari, Patwari Kshetra- Ida, Tehsil
Dwarahat, District Almora.
4- Khyali Ram S/o Moti Ram
R/o Ida (Sailta), Patwari Kshetra,
Ida, Tehsil Dwarahat,
District Almora .. Respondents.

Sri Vinod Tiwari, learned counsel for the petitioners.
Sri D.K. Sharma, learned G.A. for the State.

Coram: Hon'ble B.C. Kandpal, J.
Hon'ble Prafulla C. Pant, J.

Heard Sri Vinod Tiwari, learned counsel for the petitioners and Sri D.K.Sharma, learned G.A.

2- By means of this writ petition the petitioners have prayed for issuance of a writ, order or direction in the nature of certiorari quashing the F.I.R. No. 10 of 2006 dated 15-7-2006, lodged against them by the informant-respondent No.4.

3- After going through the first information report, annexed with the writ petition, we are not inclined to interfere in the investigation of the matter, under Article 226 of the Constitution of India.

4- The writ petition is dismissed in limine.

5- The interim relief application also stands rejected.

6- However, if the petitioners are arrested or they surrender before the court, the bail application, if moved by the petitioners, shall be heard and decided without unreasonable delay, by the court concerned.

(Prafulla C. Pant, J.) **(B.C. Kandpal, J.)**

Dated: 31-8-2006
ISB